

The CAPITOL EYE

Watches Your Interest in Congress



VOL. I

OCTOBER, 1921

No. 1

Announcement

THIS publication will present a monthly digest of federal bills dealing with public health and education. It will follow their progress. It will record their history. It will assemble relative arguments and print them pro and con.

SUCH a policy will afford the reader an opportunity to study a bill from every angle and judge of its merits. Congress will be able to speak through these columns directly to the people and all organized bodies will be furnished a forum where they can exchange reasons for opposing or endorsing these public interest measures.

FEATURES

This Month—The "Maternity Bill"

Next Month—The "Public Welfare Department Bill"
The "Beer Bill"

The CAPITOL EYE DIRECT SERVICE

FOR the benefit of those seeking detailed and immediate information on federal welfare bills The Capitol Eye Publishing Company maintains a direct service. Rates forwarded upon request.

Facts

on

How these bills will affect the Health and Education of your community.

How your congressman is voting on them.

How and when to offer relevant amendments.

Advance dates on Hearings.

The Roll-Call in the Senate and House when a vote is taken.

Complete list of such bills in the current session.

Complete list of organizations testifying at the hearings.

The CAPITOL EYE

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A. GRAM

EDITORS

V. HITCHCOCK

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HEALTH SECTION

There are approximately one hundred and twenty bills pending action in Congress which if passed will affect the health and education of the nation.

The Sheppard-Towner bill, generally known as the "Maternity Bill," has been selected as the feature for this issue because of its present status.

THE "MATERNITY BILL"

HISTORY OF THE BILL

The first bill for the protection of maternity and infancy was introduced in the 65th Congress by Miss Jeannette Rankin, the first woman member of the American Congress.

The present bill was offered in the 66th Congress by a Republican in the House and a Democrat in the Senate. During that Congress it passed the Senate without division, and after the adoption of important amendments went to the House, where it was favorably reported by the House Committee on Interstate and Foreign Commerce. It reached the House calendar so late in the final session that it was not considered on the floor.

The bill was again offered by Senator Sheppard on April 21st, 1921, in the first session of the 67th Congress and referred to the Committee on Education and Labor. It was reported favorably with amendments, and after debate passed the Senate on July 22nd, 1921, with seven opposing votes. The bill which then became an act due to the Senate action, was referred to the House Committee on Interstate and Foreign Commerce, where it remains.

This Committee conducted public hearings on the House "Maternity Bill" No. 2366, which is identical to Senate Bill No. 1039, before it was amended. It is now the privilege of the Committee to report to the House of Representatives for action, either House bill 2366 or Senate Act 1039, which is outlined below in the form in which it passed the Senate.

Further action on the "Maternity Bill" will be reported in the November issue.

OUTLINE OF ACT S. 1039

Passed by the U. S. Senate, July 22nd, 1921. Referred to Committee in the House of Representatives.

APPROPRIATIONS

For the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and the several States, there is authorized to be appropriated, out of the U. S. Treasury, the sum of \$480,000 for each year, \$10,000 of which shall be paid annually to each State. There is authorized to be appropriated for the use of the States an additional annual sum of \$1,000,000. The additional appropriation shall be apportioned among the States in the proportion which their population bears to the total population of the United States. No payment out of the additional appropriation shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State for the maintenance of the services and facilities provided for in this Act. A sum not to exceed 3 per centum of the additional appropriation shall be used as the Children's Bureau may estimate to be necessary for administering the provisions of this Act.

ADMINISTRATION

The Children's Bureau of the Department of Labor shall be charged with the carrying out of the provisions of this Act. The Chief of the Children's Bureau, as executive officer, will form an advisory committee to consist of the Secretary of Agriculture, the Surgeon General of the United States Public Health Service, and the United States Commissioner of Education. The Children's Bureau shall have charge of all matters concerning the administration of this Act, and shall have power to cooperate with the State agencies authorized to carry out its provisions. It shall be the duty of the Children's Bureau to make such studies, investigations, and reports as will promote the efficient administration of the Act. In order to secure the benefits of the appropriations any State shall, through the legislative authority thereof, designate or authorize the creation of a State agency with which the Children's Bureau shall have all necessary powers to cooperate. Any State having a child welfare or child hygiene division in its State agency of health, shall administer the provisions of this Act. The Children's Bureau shall recommend to these State agencies the appointment of advisory committees, both State and local, to assist in carrying out the purposes of the Act; the members of such advisory committees shall be selected by the State agencies, and at least half of such members shall be women, all of the members to serve without compensation. The Children's Bureau may withhold the allotment of moneys to any State whenever it shall be determined that such moneys are not being expended for the purposes and under the conditions of this Act. The Children's Bureau shall perform the duties assigned to it by this Act under the supervision and direction of the Secretary of Labor.

OBJECTIVE

Any State desiring to avail itself of the benefits of this Act shall submit to the Children's Bureau for its approval detailed plans for the administration of the Act in the State providing for instruction in the hygiene of maternity and infancy through public health nurses, consultation centers, and other suitable methods: Provided, That no plans or laws of the States under this Act shall provide for any official or agent or representative entering any home or taking charge of any child over the objection of the parents, nor shall any employees of the Children's Bureau by virtue of this Act have any right to enter any home or take charge of any child over the objection of the parents.

In order to provide instruction to the residents of the various States on the hygiene of infancy and maternity, the State agency is authorized to arrange with any educational institution approved for these purposes by the United States Commissioner of Education for the provision of extension courses by qualified lecturers. No portion of any moneys apportioned under this Act for the benefit of the States shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of any buildings or lands.

The Senate Discusses the "Maternity Bill"

Pro

SENATOR MORRIS SHEPPARD

The object of the maternity bill is to make available to those who may desire it instruction in the hygiene of maternity and infancy.

This instruction is made available principally through consultation centers, public health nurses, and other suitable methods supplemented with extension courses by qualified lecturers from educational institutions approved for this purpose by the U. S. Commissioner of Education, and with studies, investigations and reports by the Children's Bureau of the Federal Department of Labor. The consultation center and public health nurse system has already achieved success in work of this kind in a number of cities.

For fifty years Federal and State governments have been distributing useful information on plant and animal life, expending millions in this way to preserve the existence of plants and animals. Are mothers and babies less precious? The dissemination of educational data has always been recognized as a legitimate function of the most conservative forms of government.

The Children's Bureau under the law of its creation has for nine years made a careful study of maternal and infant mortality. Its experts as well as other students of the subject, testified at the hearings that nearly 18,000 mothers and nearly 200,000 infants under one year of age are perishing every year in the United States from causes most of which could be removed by proper instruction and information.

The work in each State accepting the Act is to be based on plans in substantial conformity with its terms submitted by a State agency which supervises operations within the State. The authority of the Children's Bureau is limited to approval or disapproval of the plans, to the issuance of Federal allotments, or their withdrawal if a State should cease to observe the spirit of the Act, and any decision of the Bureau is subject to an appeal to the President of the United States. The Children's Bureau has only such authority as will insure the expenditure of Federal funds in the manner intended by Congress.

Every State accepting the Act and complying with its provisions gets \$10,000 annually regardless of any appropriation of its own, and in addition each year that proportion of one million dollars which its population bears to the population of the Union, provided its legislature appropriates an equal sum.

The bill provides a system of cooperation between the Federal government and the States. It contains no compulsion of any kind on States or individuals. It specifically prohibits entry into any home over the objection of the parent or anyone standing in the place of a parent.

It is submitted that these facts are complete rebuttal of the baseless charges that the bill is socialistic, Bolshevistic, subversive of family ties, productive of harmful propaganda, or that it is an additional step in centralization of oppressive power at Washington.

Con

SENATOR WILLIAM E. BORAH

The Maternity Bill appropriates a very considerable sum of money. The amount which it appropriates or authorizes, in the first instance, however, is small compared to what will be necessary a little later. With bureaus, or departments, the appetite increases with what it feeds upon. In addition to the Federal appropriation, there will be a call from the States for large sums. And it is well to remember that the taxpayer is the same for the State taxes as for the Federal Government. It makes little difference whether one Government, the State or the Federal, imposes the tax. There is only one people to take care of both taxes. Furthermore, under the present terms and stipulations of the bill very little of the appropriation will get further than to take care of the additional offices and salaries which they will require.

It seems to me, therefore, that this measure, in the present condition of the Treasury, and in view of the harassed and discouraged situation of the taxpayer, ought not to be urged. Just as rapidly (yes, far more rapidly) as we find a place where we can reduce expenditures, there is some one who rushes in with a plan to increase expenditures elsewhere. The result is that, with all our talk of economy and the reduction of taxes and the insistent demand everywhere for economy, there is no economy and taxes mount higher and higher each and every year. If every scheme, or plan, good, bad or indifferent, is to be urged and propagandized through a trembling Congress, we are heading for an economic breakdown.

The coming winter will find many a mother in agony, not for want of instruction as to how to care for her child, but for want of money to feed and clothe and keep warm her child. The Maternity Bill would be a delusion to the thousands of mothers thus situated. In other words, the conditions which confront us now are serious, immediate and commanding. We should not expend a dollar nor impose a single item of expense upon the people of this country until relief from taxes is in sight and until men and women, oppressed, hungry and out of work, have work and are sheltered and clothed. Strange as it may seem to some people, this country at the present time faces a situation even more serious than that in many respects which confronted them during the war.

The Senate voted to recommit what is known as the soldiers' adjusted compensation bill. The principal and controlling reason for that recommitment, as it was advised by the debates and by the message of the President, was an economic one, want of money, the condition of the Treasury. Certainly we ought to be consistent. It is really ludicrous to refuse the soldiers on the grounds of economy and then pass such measures as this. Without consistency and determination, we shall not relieve the people in the slightest, and unless we do relieve them such measures as these will be poor compensation for a depleted Treasury, an immense deficit, and an increase of their taxes.

The House Discusses the "Maternity Bill"

Pro

REPRESENTATIVE HORACE M. TOWNER

In 1912, Congress passed the law creating the Children's Bureau and making provision for appropriations from the National Treasury in its support. As stated in the Act, it was the duty of the Bureau "to investigate and report upon all matters pertaining to the welfare of children and child life among all classes of our people, and shall especially investigate the questions of infant mortality, the birth rate, and diseases of children," etc. In pursuance of this duty, imposed upon the Bureau, its Chief made investigation regarding the question of infant mortality, and of necessity maternity connected therewith. As a result of these investigations, it was found that the rate of mortality in the United States in maternity cases and in infancy during the first year of life was very great, and as compared with other nations of the world our position was deplorable and disgraceful. Only in very limited localities, and principally by those who were working under private charitable institutions, was anything being done to remedy this condition.

As other nations of the world had stimulated their localities to activity by contributions from the National Treasury, it was thought that we were justified in this country in also asking that some action should be taken. As a consequence, several years ago a bill was introduced in Congress making contributions from the National Treasury to aid and stimulate the States to activity in trying to reduce the shocking mortality in maternity cases. The bills now pending in the House and Senate having this purpose in view have been modified from time to time, but the main purpose has been preserved. It is now purposed to make small donations to the States to stimulate them to activity in this regard and to aid those who are engaged in such work where such aid is needed.

It is not proposed that the Children's Bureau shall immediately take charge of this work. The State and local authorities are to carry out its execution. The legislatures of the States are empowered to designate or authorize state agencies which shall administer the provisions of the Act. The States generally have an agency of health, and several of them have already provided for child hygiene divisions in their State agencies of health. In these cases, the work will be specifically committed to the child hygiene divisions under the direction of the State agency of health for each particular State. It is, of course, expected that the local authorities, under the direction of these State agencies, will be principally responsible for the administration of the law. Help will be given through these local agencies in the provision for nurses and attendance where needed and bring to each needed case the assistance required.

The work which is authorized to be undertaken is by no means merely experimental. It has been systematically applied in localities with most satisfactory results.

Con

REPRESENTATIVE ALICE ROBERTSON

As the bill stands, its only purpose is to build up more of a Federal Machine and to loot the Treasury under the guise of a worthy object.

The bill does nothing other than appropriate money. No restrictions are thrown around its expenditure and no scheme or skeleton of procedure devised for its operation. If the caption were left off, one would be at a loss to ascertain its purpose. Its entire plan is left to conjecture. In a law Court, it would be thrown out for indefiniteness and uncertainty.

But even otherwise, the Federal Government is going into too many projects and I do not believe the American people will much longer stand its continual invasion of the home and of personal rights and privileges. In other words, they do not sanction the German system of paternalistic government.

A mere glance at this bill shows that "maternity and infancy" are mentioned only four times. One Senator characterized the bill which he voted for because the women wanted it, though he told them he disapproved it as "a very large harness on a very little horse"—in other words, "all appropriation and administration and negligible help."

The club women of America, after all, represent but a small percentage of its 51,000,000 women. All the arguments given by the proponents of this bill are based on estimates, there being no actual dependable figures in the absence of universal registration. But if they were reliable and the need so great there is danger that the passage of the bill would be obnoxious beyond endurance as handled by professional reformers of family life. The mortality among mothers and babies of the so-called "idle rich" is greater than among the poverty-stricken toilers. The welfare worker of the Children's Bureau is in duty bound to carry her inquisition alike to palace or hovel. She is more likely to be admitted to the hovel because of the greater simplicity of receiving guests. The bill does not allow her to demand entrance.

The worst possible lie is of the sort that Ananias and Sapphira told—the truth, but not the whole truth. Without complete statistics, which are not to be had, the "sob-stuff" claim that 680 babies die every day from the failure in enacting this bill is absurd. A bill that does not provide medical or nursing attendance, or milk or baby clothes, or anything that would give immediate aid is not tangible help of the kind that the general public infers would be given, but the establishment of an autocratic, undefined, practically uncontrolled yet Federally authorized center of propaganda.

Were the pitiless light of real publicity turned upon the methods which have brought the "maternity bill" thus far toward enactment, its most ardent proponents, in my belief, would in all fairness be compelled to allow time for the as yet unheard majority of women, who know nothing of its proposed legislation, to learn the facts and to speak for themselves.

'The Lobby Discusses the "Maternity Bill"

Pro

THE NATIONAL LEAGUE OF WOMEN VOTERS

Being permissive, this bill does not interfere with either State or individual rights. Where accepted, State and local authorities will employ and supervise those who do the actual work. Federal administration is through the Children's Bureau, which has made a study of women's and children's welfare. State administration of the act will be through Child Hygiene Divisions of State Boards of Health in thirty-eight States where such exist, and through other suitable agencies in remaining States so that local problems may be dealt with intelligently. Hygiene of maternity and infancy, taught through public health doctors and nurses, consultation centers and other suitable methods, insure experienced professional instruction. The appropriation of \$1,480,000, which is only 26/1000 of 1% of the Federal budget for 1920, will stimulate the activity and arouse the responsibility of the States to the need for this measure, while it will not appreciably increase the tax burden.

AMERICAN FEDERATION OF LABOR

The proposed law is the outcome of agitation begun at the American Federation of Labor convention in 1919. Congressional action was urged directing further cooperation of States in providing funds and in organizing and carrying forward the welfare, medical and instructional services necessary to secure reasonable care for every mother and young child.

Official reports show that 200,000 babies die yearly before they reach the age of one year and 20,000 mothers die yearly during child birth. It is estimated that the lives of 13,000 mothers and 100,000 babies would be saved through the workings of such a law.

THE NATIONAL CONSUMERS' LEAGUE

We are interested in the industrial life of women and children primarily, and have been drawn to interest ourselves in this bill because of the terrible death rates of mothers and children where the mothers work in factories and work-shops until the time of the birth of the child.

Every other year 40 or more legislatures are in session. These legislatures pass laws prohibiting the employment of women for a greater or less length of time before and after confinement. Those laws are intended to be humane, but their working in practice is not humane, because we have in this country no health insurance to assure to those mothers any funds to be spent for them and for the newborn child; and we have no such care as the Sheppard-Towner bill contemplates for them except as a matter of private or municipal charity in certain of the more advanced cities.

* In some cases extracts from Congressional hearings are used.

Con

NATIONAL ASSOCIATION OPPOSED TO WOMAN SUFFRAGE

J. S. Eichelberger, Editor, The Woman Patriot

The Sheppard-Towner Bill is a poor imitation of various "maternity systems" adopted in foreign countries. But whereas all these foreign systems do provide either cash benefits or medical and nursing care, the Sheppard-Towner Bill provides nothing but "investigation and advice," reports and talk. No part of the fund can be used for any maternity hospital or equipment, no destitute mother can secure a bed, no baby a bottle of milk, under its provision.

Social progress is always the result of individual thought and effort. The Federal Government, which has failed in its own constitutional field of caring for disabled veterans, can no more promote the welfare of mothers and babies by forcing arbitrary "standards" on them, than it could promote industrial progress by adopting legislative "standards" for automobiles or aeroplanes.

CITIZENS MEDICAL REFERENCE BUREAU

The Sheppard-Towner bill would serve as an entering wedge for numerous other measures centralizing public health work and costing hundreds of millions of dollars annually.

It would mean sending out propaganda for making various fads and fashions in medicine compulsory, thereby stirring up further unrest among the people.

Public health work is chiefly a local and state problem.

The Federal State aid plan is economically unsound.

Statistics offered are misleading, there being no assurance that any benefits would be derived.

To call this a women's bill would stamp it as class legislation. Opposition among both sexes is overwhelming.

AMERICAN DRUGLESS ASSOCIATION

Miss Nellis C. Williams

We are opposed to this bill because it would be putting a great deal more power into what is known as the medical machine, that is, the allopathic medical control of the United States. It is estimated that there are 35,000,000 people who no longer use allopathic treatment. The allopaths have charge of the health boards and of the school inspection and control in the schools now. We fear that under this bill, though it has no medical mention in it, they will get into it and every employee will to a certain extent have to preach the doctrines of allopathic medicine.

*Pro***NATIONAL ORGANIZATION FOR PUBLIC HEALTH NURSING***Elizabeth G. Fox, Vice-President*

Much of the field work provided in the Sheppard-Towner bill will be performed by public health nurses. There are now something like 10,000 public health nurses at work in the United States. It has been said that this bill will send large numbers of untrained individuals into private homes. Public health nurses cannot be called untrained individuals. They are highly trained in the alleviation and prevention of sickness, the teaching of hygiene, and the preservation of health. Public health nurses working under reputable agencies are not allowed to interfere with the political or religious opinions of their patients. The family is at liberty to refuse them admittance if it chooses. There is no note of compulsion anywhere in the bill.

**BUREAU OF CHILD HYGIENE,
NEW YORK CITY***Dr. S. Josephine Baker, Director*

New York City has a Bureau of Child Hygiene which has resulted in giving New York the lowest maternal mortality from preventable causes, not only of the large cities of the Nation, but also of the large cities of Europe, where statistics are available. There is nothing in this bill, as I see it, which imposes any medical treatment of any kind upon anybody in the world. Every mother is free to select her own physician for childbirth. I see no provision in this bill for any medical treatment. It seems to me that it is entirely along the line of preventive work. These mothers want to be saved and they are anxious to get the information which would be sent out. It would be a reasonable estimate to say that we could save some 15,000 women and 100,000 babies a year by passing this bill.

EDITOR, GOOD HOUSEKEEPING*W. F. Bigelow*

Just after the war we heard of the deaths of mothers and children numbering annually nearly four times as many as the number of men we had lost in France.

Thinking then that Congress would make haste to pass this bill which would prevent many of these deaths, I turned my attention as an editor to publicity and endorsements for the measure. In three months 30,000 names of individuals supporting the bill were turned over by our magazine to the Senate Committee. Thirty-four governors reported in favor of legislation protecting infancy and maternity, and the great majority of them agreed to support this bill. Churches and both men's and women's organizations endorsed it eagerly, and from the evidence that has come to my hands I know that the people want this bill.

*Con***WOMAN'S MUNICIPAL LEAGUE OF BOSTON***Mrs. William Lowell Putnam*

In childbirth two lives are at stake and in the care of this important function those two lives depend upon the care given the mother; hence this care should only be given by trained physicians and not administered by lay people.

The Sheppard-Towner bill puts the medical care of maternity, though administered by the State Boards of Health, completely under the control of a lay woman, the Chief of the Children's Bureau. She can not only withhold money from them, but through her control of their plans for spending it she will inevitably exercise an influence not only upon the expenditure of the small sum appropriated by Congress but the very much larger sum which the States are themselves already appropriating, for it will not be possible for the State Boards of Health to administer one fund in one way and the other in another.

ILLINOIS STATE MEDICAL SOCIETY

The Sheppard-Towner bill deals with problems 95% medical—hence medical, not lay supervision is demanded.

The maternity question is a matter for state and local authorities. It is highly improper for the Federal government to usurp legitimate activities of the states.

The Sheppard-Towner bill is a mixture of paternalism, socialism, state medicine, and sentimental politics. It means unfair, unequal, and greater tax burdens.

The political machine thus created will menace the efficiency of the health activities of every state.

The Children's Bureau is given dangerous power. Federal health activities should be directed by the United States Public Health Service, not by a lay bureau.

NEW YORK ANTI-VIVISECTION SOCIETY*S. Saloman*

We believe that the bill is entirely unnecessary.

That it entails a very serious drain upon the United States Treasury and the State Treasuries, that neither can stand at this particular time.

That the bill is so indefinite in its scope that it is practically a blank check given to the interests that possibly may be back of the bill, leaving to them to write in their duties, their powers and authority, possibly their obligations, either to the public or to themselves; for that particular reason we believe it is an exceedingly dangerous bill and that the arguments of those for the bill if examined will prove that to be a fact.

That it is exceedingly dangerous to the public welfare and an entering wedge to what we conceive to be State medicine, and in that way we destroy or hamper to some extent the medical freedom of the individual that is guaranteed by the Constitution of the United States.

Pro

AMERICAN CHILD HYGIENE ASSOCIATION

Richard A. Bolt, M. D., General Director

I am in favor of this Bill because it is a piece of constructive legislation; it affords opportunity for cooperation between various Government bureaus dealing with child welfare; it equalizes the opportunity for mothers throughout the country for education in child hygiene, and for suitable care of both mothers and children; it is not a radical departure from our precedents, and similar efforts in other places, notably in England, have thoroughly demonstrated that it is a wise method for promoting the best health interests of mothers and children, and of reducing infant mortality.

MISS JEANNETTE RANKIN

Former Congresswoman who first introduced maternity measure

This bill was drawn from careful and painstaking research with the hope of meeting conditions as they existed and of using the facilities that we have. One of the most needful things in maternal cases is education. Women are tremendously interested in this bill. They feel the need of some such legislation. They have confidence in the Children's Bureau. They appreciate that the Children's Bureau has no power to force them to accept its suggestions, also that the Public Health Service always has police power over the Children's Bureau.

The whole country needs education on the problems of maternity, including the economic and social conditions that are determining factors in child welfare.

STATE CHILD WELFARE BOARD OF
NEW MEXICO

Dr. Edgar L. Hewett

This bill is an educational measure. Its purpose is to provide instruction in the hygiene of maternity and infancy. That is not carrying the idea of paternalism in government too far. We probably can never reach the point where the government, or the State can furnish the services of an expert physician in all cases that will arise; but we have reached the point where we furnish public education to all the people of this Nation; and this bill is an extension of that educational system.

The spirit of the bill is right in every respect. It avoids the antagonisms that we have everywhere to medical legislation by making it a matter of public education. It is in sympathetic cooperation with the Public Health Service, but avoids the prejudice against the Public Health Service by having it administered under the Children's Bureau. This prejudice is against the imposition of medical legislation upon the people and is found in every State enforcing health regulations.

Con

THE MEDICAL LIBERTY LEAGUE, INC.

Mrs. Jessica Henderson

We are opposed to this Sheppard-Towner bill because it is one of the many bills before Congress that creates and entrenches the control of State medicine and we believe with Herbert Spencer that medical liberty is just as important as religious liberty.

We are in favor of a maternity benefit and an endowment bill where women may choose their own visitors.

It is stated that there are 17 other countries that have lower death rates than we; and we have from one to ten times as much medical attention as prevails in those countries. That alone shows that the medical attendance is not at the bottom of this high mortality.

CONSTITUTIONAL LIBERTY LEAGUE OF
MASSACHUSETTS

As drafted and presented we suppose this bill to be in contravention of the Constitutional principles of our government.

It would constitute an improper and unjust infringement of the rights of the several states to govern themselves and their people.

It would set a very bad and dangerous precedent for the introduction of all kinds of miscellaneous new features of government.

It would multiply departments and offices, involving very considerable, and, as we believe, practically useless expense. It would certainly strengthen the present deplorable tendency of our people toward bureaucracy; and we are convinced that this tendency should be promptly checked lest our people become *bureau-crazy*.

MASSACHUSETTS MEDICAL SOCIETY, N. W.

Dr. Alfred H. Quessy

Physicians oppose maternity legislation, State or National:

Because such legislation is unnecessary and superfluous. It is not really a health measure as it is claimed, but is essentially socialistic in tendency as it is in Germany and elsewhere, and we don't want socialism parading in this Nation under the guise of health measures.

Because maternity legislation and its accompanying bills are in error, are exaggerated and are based upon assumptions which are fundamentally wrong.

Because they point to the wrong cause and the wrong remedy for maternal and infant mortality.

Because they are a direct attempt to give autocratic power to the department of health in each state where advisory power alone should prevail.

Because they are an entering wedge to State or national control of the practice of medicine.

Because they are an invasion on the realm of private rights, personal liberties and constitutional safeguards.

Pro

CHIEF OF CHILDREN'S BUREAU

August, 1912—August, 1921

Miss Julia C. Lathrop

Anyone familiar with the isolation of remoter districts and of certain industrial areas of this country must feel that to depend entirely upon local taxation and local initiative will delay far too long that protection of mothers and infants which is in the interest of humanity and public economy alike.

The bill as it passed the Senate safeguards the rights of the States and the localities and the families, and especially looks to stimulating rather than lessening local medical responsibility.

I am not sure that such a bill or that any other fifty-fifty legislation should be permanent. I am heartily in favor of reviewing all such legislation at the end of a term of years, with the purpose of discontinuance without prejudice if the results warrant. But no one could sit for nine years in the Children's Bureau, seeing the evidence constantly presented here—evidence not before assembled—without endeavoring, as a part of the duty of the Bureau, to discover some way of lessening more promptly the waste of life and vigor now going on in this country.

NATIONAL CATHOLIC WELFARE COUNCIL

The Sheppard-Towner Bill has for its purpose both State and Federal aid to needy mothers at time of childbirth and the subsequent immediate care of their infants. The need of such care is beyond question, as the infant death-rate in many places only too clearly shows.

While the Federal portion of the bill is objectionable inasmuch as we believe the federalization tendency must be deplored and opposed, in view of the extreme emergency and its grave need we believe the bill ought to be supported. Moreover, another important reason on account of which the bill ought to have our support is that it does protect the family; it encourages child-bearing and is opposed to nefarious measures of birth control and contraception, which will soon be claiming a hearing in Congress.

NATIONAL CONGRESS OF MOTHERS AND PARENT-TEACHER ASSOCIATIONS

The indorsement of this bill by organizations and individuals is spontaneous, widespread, and urgent.

The lives saved will yield a far greater asset financially to our Nation than the amount called for in the bill.

Life will be healthier and happier and the quality of citizenship will be improved.

The mothers of the Nation will become more enlightened and intelligent, and will take fresh courage because their work is appreciated.

Con

UNITED STATES PUBLIC HEALTH SERVICE

H. S. Cumming, Surgeon-General

The Public Health Service believes that the most important factor in conserving the health of the people is the development in local communities of a sense of responsibility for their own health conditions to the point where they are willing to finance and support adequate local health organizations.

The most effective work in the protection of maternal and child life will be done by such local health organizations as a part of the general health program for the protection of the health of the people in that community.

Rather than create additional medical agencies, the fullest utilization should be made of the medical and sanitary personnel of the Public Health Service; and

Instead of giving the health problem of the country fractional treatment, the aim of the bill should be to support a general health program of which, of course, the protection of maternal and child life would be an important part.

PHYSICIAN TO THE LATE CARDINAL GIBBONS

Dr. Charles O'Donovan

The Sheppard-Towner "Maternity Bill" is an intrusion of the Federal Government into matters distinctly local which can be handled far more satisfactorily and at less expense by the States or counties. Sad and bitter experience has taught the truth of this statement.

To produce any result whatever, far more money than is mentioned in the bill will be required: the purpose seems to be to start the bureaucratic ball rolling and let the future take care of itself. The people already sadly burdened by taxation should at once stop this needless extravagance.

The bill provides in substance, records, pamphlets, travel, etc.—offices for politicians, authority for those very slightly prepared to use it properly, but little or nothing for mothers and children. The excellent purpose of the title is not attained by the bill.

Let everyone read the bill carefully: that should be enough to kill it.

MASSACHUSETTS CIVIC ALLIANCE

Eben W. Burnstead, Secretary

This society is opposed to State care of maternity. The infant mortality in the United States is not high. We believe that a change of this system, that we now have from private to public control will not give you any less infant mortality, but it would tend to a greater infant mortality because you will have a system that has not worked efficiently in other matters, to take the place of a system that has made America what she is.

EDITORIALS

Pro

New York Discusses the "Maternity Bill"

(Editorial, *New York Tribune*)

THE SHEPPARD-TOWNER BILL

Ten million women, through their various organizations, are supporting the Sheppard-Towner bill in the belief that its protection to mothers and infants will save thousands of lives each year that are now lost through lack of proper care, due chiefly to ignorance. England, Wales, Sweden and New Zealand have made the instruction of mothers a public matter and are reducing the mortality of mothers and infants, whereas in the United States the rate is increasing. Among countries that have compiled statistics this country ranks seventeenth. No fewer than 25,000 mothers will lose their lives during 1921 from maternal causes, and at least half could be saved. And 125,000 babies will unnecessarily die within six weeks of birth.

Opposition to the bill has developed, it would seem, largely through misapprehension and misunderstanding of its provisions. The claim is that it would overcentralize power, that it would set up a medical autocracy and that it would establish compulsory interference in the relation of patient and physician. These claims appear to be unfounded in fact.

Cooperation rather than centralization is clearly aimed at in the bill. The states must initiate and are chiefly to conduct the work.

That a medical autocracy would arise is a fear that may be regarded as baseless. It has not occurred to any extent in the history of health departments, health centers and Red Cross work. Friction has arisen among schools of medicine, and opposition has come from the schools of healing without medicine, and many mistakes have been made, but the continuing decrease in mortality from diseases combated by preventive measures sufficiently attests the value of organized prevention.

But, of course, the underlying reason of the opposition is not fear of centralization or medical autocracy. We are instructed enough in matters related to the general interest to see the value of giving ordinary education to the oncoming generation. We recognize that this can best be done, and in large degree can only be done, by the community. But time was when almost every argument now used against schools for mothers was employed against schools for children. It was the duty of parents, it was said, to train their own offspring, just as now it is said to be the business of mothers to safeguard their own health and that of their infants. The doctrine is a narrow and cruel one and sooner or later will be overthrown by the spirit of intelligent progressiveness.—*Extract.*

Con

Main Street Discusses the "Maternity Bill"

(Editorial, *Fitchburg (Mass.) Daily Sentinel*)

THINKING IT OVER

The maternity benefit bill is only one of the many so-called "social welfare" measures that are being advocated at the present time. Sickness, invalidity, old age pensions, unemployment insurance—these are some of the Protean forms of state aid which, if made compulsory by legislation, would sap the spirit of thrift and self-reliance, and would breed, in its place, a feeling of dependency on the state.

There is an economic question that enters into all proposed legislation of the same character as the maternity benefit bill. Will not these measures that are proposed so abundantly, and as it would seem, so carelessly, bring greater evils in their train, than those they purpose to expunge? One most certain result of the adoption of these state relief measures would be the establishment of a powerful bureaucracy, prone to work for its own aggrandizement rather than for the public welfare. If such a bureaucracy should once get into the saddle, with the usual propaganda for its perpetuation and enlargement carried on at the expense of the taxpayers, it would take more than a mere failure to function properly, to unseat it.

Never has thoughtfulness and caution been more needed than at present. A wave of emotionalism has swept over the country. Whatever is, is assumed to be wrong. Change, regardless of its results, is assumed to be synonymous with progress. The advocates of change resort to a style of reasoning, which is none the less fallacious, because of its being so familiar. Practically any public measure, nominally designed to change existing conditions and labeled a "welfare bill," can secure wide and unquestioning support, regardless of its merits. The unscrupulous politicians, office-seekers, professional agitators, uplift zealots, who are palpably exploiting such measures, are being exalted in the esteem of a deluded public. Those who urge sanity and caution, or who dare to protest when wanton injury is threatened to the social fabric, are being branded as "reactionaries" or vilified as selfish opponents of progress. It may be granted that there is something in this desire for state aid in the directions here indicated that is flooded with feeling, nobly prompted. But it ought to be granted that this desire would profit much from a dose of rational criticism. The fancy that, by raising funds, by setting in motion committees, by hurrying through legislation, the ideals of perfection can be realized, needs to have its rein checked. There is need of examining all these undertakings for the realization of the dream of perfection in the strong light of reason.—*Extract.*

A LEGISLATIVE PRIMER

ADVENTURES OF A BILL IN CONGRESS

BY A NEWSPAPER REPORTER

In order to afford readers a key to legislative proceedings, a chart of this article will appear monthly in this space.

Those who desire to follow the progress of legislation through Congress would do well, at the outset, to fix in their minds the idea that a legislative Bill is simply a thought reduced to written form, a form prescribed by long usage as part of a conventional method of law making.

Some one may think of something that should be done by the Government. He finds that there is no law requiring that it be done, no law providing the way to do it. This person may be a private citizen or a member of the House or the Senate of the United States. If he is a private citizen he brings the matter to the attention of a member of one of the two branches of Congress. That member, if he is in sympathy with this thought, undertakes to turn it into law in order that it may become operative. His first step is to draw up a Bill for introduction in Congress.

In this Bill he sets forth, in the accepted phraseology of legislative bodies, the thought he wishes made into a law. When the Bill is prepared, the Representative or Senator introduces it in the body of which he is a member. If in the House, the process of introducing a Bill consists merely of dropping it into a basket that lies beside the Speaker's desk. In the Senate, the Senator introducing it must arise, be recognized by the Vice President, who is the presiding officer of the Senate, and announce that he is introducing a bill. Upon this announcement a page-boy approaches the Senator, receives the Bill from him and deposits it beside the Vice President's desk.

At the desk of the Speaker of the House and the desk of the Vice President in the Senate are clerks whose business it is to read all Bills and refer them to the proper committees, of which there are forty-three in the House and thirty-four in the Senate. As these clerks mark the Bills which are usually in typewritten form when presented, they are sent at once to the Government Printing Office and promptly printed, in order that the committees may receive them the day after they are introduced.

The existence of committees is necessary to expedite the work of Congress. It is the duty of the committees to inquire closely into the contents of every Bill introduced. Frequently opposition is voiced to the passage of a Bill. Again, the Bill may be in conflict with existing law or it may not be sufficiently comprehensive. If necessary or desirable the committee holds hearings and listens to both the proponents and opponents. These may be members of

Congress, representatives of organizations or industries, or private individuals. The chairman of the committee and a majority of its members always belong to the party in control of the House of which the committee is part. At present, therefore, the chairmen and the majorities of all committees of both Houses are Republicans.

Finally the committee has worked the Bill into shape, perhaps amended it. An amendment is merely a change or a qualification. The Bill, as it is finished by the committee, may be a composite of a number of Bills introduced by different members bearing on the same subject. The committee then reports the Bill to the House or the Senate, as the case may be. The House requires a written committee report. The Senate does not, but the reports are usually written. Sometimes there is a difference of opinion in the committee, whereupon the committee members take a vote. Often two reports are filed, a majority report and a minority report.

Again the Committee may decide not to report the Bill, but to lay it aside. Sometimes this is done because the bill lacks merit, sometimes because the party in power is opposed to it, sometimes simply because a majority of the committee members are, for personal reasons, against it. Usually, when the committee lays a Bill aside, the Bill has no chance of passage. Occasionally, however, the view of a majority of the committee may not coincide with the view of a majority of the House or Senate. In this event, the author or other friends of the Bill may move, on the floor of the House or Senate, that the committee be discharged from consideration of the Bill. This rule is to safeguard against the holding up of a Bill by a handful of men who happen to be members of a given committee. The application of this rule, however, occurs only in extreme cases. If the motion to discharge prevails, the Bill is brought direct to the House or Senate. When the Bill is reported it usually takes its place on the regular legislative calendar and awaits its turn to be considered. This rule is not inviolable, though, and important measures frequently are given right of way, by a majority vote of the House before which they lie, or by direction of the Committee on Rules, which has charge of the general direction of the movement of legislative business.

When the House decides to take the Bill up for consideration it forms what is known as the committee of the whole House, which is, in effect, a super

committee to review the action of the committee which brings in the Bill. Time is set for debate, in the House, but under the Senate rules there is no limitation to debate unless all agree to vote on a Bill at a given hour on a given day. During the debate and for a period after its close, amendments to the Bill may be offered on the floor. Amendments are always voted on before the final vote on the Bill. The consideration of amendments is brought to a close by a motion to consider the "previous question," the previous question being a vote on the Bill itself, as amended or not, as the case may be. If the motion to consider the previous question is defeated by a majority vote, the discussion and presentation of amendments continues. If not, the final vote is taken. Sometimes there is a motion to lay on the table, which, if carried, means that the bill is neither passed nor defeated, but put aside.

The Bill, passed by one House, is then sent to the other. There are slight variations in the methods of handling Bills in the two Houses. Beyond the basic principle of allowing more time for discussion in the Senate, these variations are not of vital importance. A House Bill, arriving at the Senate, is sent to committee and the Senate committees function in the same manner as the House committees. If they report the Bill (or rather the Act, since when it passes one or the other of the Houses a Bill becomes known as an Act) unchanged, and no changes are made on the floor of the Senate when it is passed, the Act is sent to the President for signature. More often, however, the Senate adds its own amendments and returns the Bill to the House. If the amendments are acceptable to the House, that body records its acceptance by vote. If not, it votes to disagree to the Senate amendments and a conference is called for.

Each House then appoints its conferees and they meet together as a committee to iron out the differences in the Bill. Usually the conference committees are composed of three members of each House drawn from the committees which handled the Bill. Sometimes the conference committees are larger, with five or seven men representing each House. They work over the Bill, and if they agree, they report their agreement to the two Houses. Sometimes the conference report is accepted and sometimes rejected. Usually an agreement is reached. If not, each House reconsiders the Bill until it is finally worked into shape where it is acceptable to both Houses, or it fails entirely.

When finally accepted, a Bill is enrolled, or printed on parchment, after being carefully examined by the enrollment clerks for possible errors. Then it is signed by the presiding officers of the two Houses and sent to the President.

The President is allowed ten days, exclusive of Sundays and holidays, to consider the Bill. If he fails to sign it within that period, the Bill becomes a law without his signature. The President may veto the Bill, in which instance, he returns it to Congress with a written statement of his objections. Then Congress may pass it over his veto, provided two-thirds majority against the President's objections is recorded in each House.

Upon final disposition of a Bill by Congress and the President, the parchment copy is sent to the State Department to be numbered and filed as the original copy of the law. The Secretary of State forwards a certified copy to the Public Printer to be printed for public use.

POSTSCRIPT

The November issue will carry an additional section devoted to bills dealing with public education.

The outlook of *The Capitol Eye* is not limited to bills on Health and Education, but will handle such legislation as popular demand warrants.

From time to time space will be given to the consideration of bills affecting the District of Columbia. Washington, D. C., in its capacity as the national capital, is governed by congressional legislation, and is, therefore, the ward of the nation.

Readers are invited to submit inquiries pertaining to bills which have appeared in this publication.

A limited space will be devoted to answering such questions in subsequent numbers.

